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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/406,671	09/27/1999	JIRO INOUE	P/2291-76	1838

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EXAMINER
GESESSE, TILAHUN

ART UNIT	PAPER NUMBER
2684	

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*18 August 2003*</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) ☐ Interview Summary (PTO-413) Paper No(s). _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   This is in response to applicant's amendment filed October 17, 2003 in which

claims 1-11 are pending.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claim 1 is recites the limitation "said first and second menus" in line 12. There is

insufficient antecedent basis for this limitation in the claim. Such limitation is not claimed

in the preceding limitation of claim 1; therefore, there is no sufficient antecedent basis

this limitation referring to first and second menus.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

4.   Claims 1 through 11 are rejected under 35 U.S.C. 102(e) as being anticipated by

Nakanishi (6,064725).

As to claim 1, Nakanishi discloses a mobile telephone (1) having a redial

function, (8C of fig.8) comprising: a display device (7) (col.3, lines 39-45 and fig.1), an

input device(8) for inputting a desired instruction (col.3 line 55-col.4 line 43 and fig.1) a

first memory(13B) for retrievably storing a plurality of registred phone numbers related

to a plurality of registered names (col.6, lines 18-31 and figs.6,8,10),a second memory

(13A)for storing a plurality of dial phones numbers which have been dialed (call history

record) (col.6 lines 16-25 and figs. 7A and 7B and 11, column 8, lines 23-30) and a

controller (CPU 10) controlling such that registered phone number related to a selected

dial telephone number is displayed on the display device to be redialed depending on

instruction input through the input device (col.7 lines 7-12, col.8 , lines 15-30 and fig.8).

Nakanishi discloses the controller (CPU) is adapted to retrieve a plurality of redial phone

numbers from the phone number related to the registered phone numbers for sequential

dialing (column 7, lines 17-25 and figure 8)

As to claim 2, Nakanishi discloses one of the redial phone numbers stored in the

second memory (13A) is sequentially selected and displayed on the display device to be

redialed depending on a first selection instruction (col.7 lines 36-col.8 line 3 and fig.11),

and a registered phone number related to a selected redial phone number is selected

and displayed on the display device to be redialed depending on a second selection

instruction (col.9 line 66-col.10 line 5 and fig.14), wherein the first and second selection

instruction are input through the input device (8C) (fig.8).

As to claim 3, Nakanishi discloses the controller selects a registered phone

number related to the selected redial phone number from the first memory   in

predetermined order (col.7 lines 7-16 and fig.8).

As to claim 4, Nakanishi discloses a first redial key producing the first selection instruction (col. 7 lines 36-44 and fig.11), and a second redial key for producing the second selection instruction (col.7 lines 45-55 and fig.11).

As to claim 5, Nakanishi discloses the input device (8 of fig.1) comprises a single redial key (8C), wherein the controller (10) discriminates between the first selection instruction and the second selection instruction based on a length of time that the single redial key is depressed (col.7 lines 7-55 and fig.11 and col.4 lines 26-28).

As to claim 6, Nakanishi discloses a method for redialing a phone number in a mobile telephone (1of fig.1) having a redial function (8C), comprising: a) retrievably a plurality of registred phone numbers related to a plurality of registred names in a phone directory memory (col.6, lines 18-31 and figs.6,8,10). b) storing a plurality of redial phone numbers which have been dialed in a redial number memory (13A history phone numbers (fig.7) c) selecting one of the redial phone numbers stored in the redial number memory (col.7 lines 6-25 and fig.8) d) retrieving a plurality of registered phone numbers related t a selected redial phone number form the phone directory number (col.7 lines 36-64 and fig.11) and e)redialing a selected on of the retrieved phone numbers depending on a calling instruction (col.6 lines 17-31).

As to claim 7, Nakanishi inherently discloses repeating step e) sequentially selecting the retrieved registered phone numbers (col. 6 lines 17-31).

As to claim 8, Nakanishi discloses the registered phone numbers are sequentially selected in predetermined order (col.4 lines 58-64).

As to claim 9, Nakanishi discloses the controller (10) displays a number of registered phone numbers related to the selected abbreviate numbers "redial phone number" on the display device (col.7 lines 7-25, and fig.8).

As to claim 10, Nakanishi discloses controller (10) stores both successful and unsuccessful phone numbers onto the second memory while automatically deleting an oldest phone number when the second memory is full (column10, lines 45-56 and fig.7).

As to claim 11,Nakanishi discloses the controller stores successful phone numbers and only a last-dialed phone number of unsuccessful phone numbers onto the second memory while automatically deleting an oldest phone number when the secondary memory is full. (column 6, lines 34-67 and fig.7).

Response to Arguments

5.   Applicant's arguments filed 8/13/03 have been fully considered but they are not persuasive.

On page 4, second paragraph of response, applicant's amendment in response to the objection of title is acknowledged.

On page 5, third paragraph of response, applicant noted that multiple telephone numbers can be associated with a redial number such that if a party does not answer a first dialed number , other related numbers will be dialed until the party is reached.

The examiner disagrees. Applicant's claim is limited in scope to include such a detail. Therefore, the applied prior art is not necessary to meet such detail teachings.

On page 5, fourth paragraph through page 6, first paragraph of response, applicant argued that Nakanishi fails to teach registered phone number and related redial phone numbers is displayed on the display device.

The examiner disagrees. Nakanishi teaches when a user presses dial key (8C) to instruct phone the CPU (10) collates the telephone directory store numbers(13B) and reads call history "dial numbers" (13A) and display the result on the display device (7) (column 7 lines 10-16 and figure 8).

On page 6, fourth paragraph of response, applicant argued that Nakanishi the registered phone numbers are not related to a redial number. On the same paragraph , applicant admitted that Nakanishi teaches the stored call history merely stores the latest iteration or occurrence of a call and verifies that calls are present in the telephone directory.

The examiner agrees. Nakanishi directory numbers and history phone numbers are related.

On page 6, fifth paragraph through page 7, first paragraph of response, applicant argued that Nakanishi fails to disclose retrieving a plurality of registered phone numbers related to said selected redial phone numbers.

The examiner disagrees. Nakanishi discloses when a user presses dial key (8C) to instruct phone the CPU (10) collates the telephone directory store numbers (13B) and reads call history "dial numbers" (13A) and display the result on the display device (7) (column 7 lines 10-16 and figure 8).

To sum up, the specific teaching of the applied prior art as points out on the rejection and examiner's response to applicant's argument addresses all outstanding issues. Therefore, the applied prior art to the applicant broadly recited claims is proper and maintained

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 703-308-5873. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

TBG

December 29, 2003

Art Unit: 2684

TILAHUN GESESSE
PATENT EXAMINER